

§ 221.10 Personal property acquisition.

Personal property acquisition will be accomplished as prescribed in 44 CFR 220.13.

Subpart C—Relocation Assistance**§ 221.11 Relocation assistance.**

Relocation assistance will be provided to all displaced persons pursuant to 49 CFR part 24, subpart C. Additional requirements and considerations are:

(a) Those eligible for permanent relocation assistance may be required to vacate their property immediately to a temporary location because of the danger continued occupancy may pose to the health and safety of the occupants or the public.

(b) Pursuant to the requirements of Executive Order 11988 and 44 CFR part 9, persons displaced by a CERCLA action will not be relocated to areas in a floodplain unless there are not practicable alternative housing sites.

(c) Persons displaced by a CERCLA action and who permanently relocate to an area of special hazard (as defined in the Flood Disaster Protection Act of 1973, Pub. L. 93-234) will not be eligible for federal financial assistance for acquisition or construction purposes (pursuant to section 102(a) of the Act) if they do not purchase flood insurance.

(d) Persons displaced are not eligible for assistance to relocate to special flood hazard areas of communities which do not participate in the Flood Insurance Program.

Subpart D—Payments for Moving and Related Expenses**§ 221.12 Moving and related expenses.**

Payments for moving and related expenses will be provided as prescribed in 49 CFR part 24, subpart D.

Subpart E—Replacement Housing Payments**§ 221.13 Replacement housing payments.**

Payments for replacement housing will be provided as prescribed in 49 CFR part 24, subpart E.

Subpart F—Mobile Homes**§ 221.14 Mobile homes.**

Assistance for mobile home owners and occupants will be provided as prescribed in 49 CFR part 24, subpart F.

PART 222—SUPERFUND COST SHARE ELIGIBILITY CRITERIA FOR PERMANENT AND TEMPORARY RELOCATION

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AUTHORITY: Reorganization Plan Number 3 of 1978; 42 U.S.C. 9601 *et seq.*; Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96-510; Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499; E.O. 12580, Superfund Implementation.

SOURCE: 52 FR 6800, Mar. 5, 1987, unless otherwise noted.

§ 222.1 Purpose.

This part prescribes the criteria to be followed by the Federal Emergency Management Agency (FEMA), or any state acting on its behalf when implementing cost sharing under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), *as amended*, also known as Superfund.

§ 222.2 Definitions.

(a) *Acceptable contributions* means either cash (or its equivalent, appropriated funds) or the value of contributions of goods, facilities or services, or combinations of these, that can qualify for and meet matching share requirements.

(b) *Allowable costs* means those eligible, reasonable and necessary, costs which are permitted under the appropriate Federal cost principles, in accordance with FEMA policy, within the scope of the project, authorized for FEMA participation and in accordance